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Message Text

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66
ACTION L-03

INFO OCT-01 IO-14 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

ISO-00 CPR-02 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15

ACDA-19 DRC-01 EB-11 SCA-01 /198 W
---------- 016733
R 162000Z NOV 73
FM USMISSION USUN NY
TO SECSTATE WASHDC 1184
INFO AMEMBASSY BONN
AMEMBASSY COPENHAGEN
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY CANBERRA
AMEMBASSY HELSINKI
AMEMBASSY TEL AVIV
AMEMBASSY TOKYO
AMEMBASSY MEXICO CITY
AMEMBASSY BELGRADE
AMEMBASSY TEHRAN
AMEMBASSY RABAT
AMEMBASSY OTTAWA
AMEMBASSY VIENNA
AMEMBASSY OSLO
AMEMBASSY MOSCOW
AMEMBASSY BRUSSELS
AMEMBASSY STOCKHOLM
AMEMBASSY MADRID
USLO PEKING
AMCONGEN HONG KONG

C O N F I D E N T I A L USUN 4832

E.O. 11652: GDS
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TAGS: UNGA, PINS

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SUBJ: UNGA--LEGAL COMMITTEE--PROTECTION OF DIPLOMATS--
NATIONAL LIBERATION MOVEMENTS

SUMMARY: IN UNGA SIXTH COMMITTEE, AFRICANS AND ARABS HAVE FORMALLY INTRODUCED AMENDMENT TO CONVENTION ON PROTECTION OF DIPLOMATS WHICH WOULD EXCLUDE FROM COVERAGE "PEOPLES STRUGGLING AGAINST COLONIALISM, FOREIGN OCCUPATION, RACIAL DISCRIMINATION AND APARTHEID". EMOTIONAL STATEMENTS SUPPORTING THIS NATIONAL LIBERATION MOVEMENT "AMENDMENT" AND JUSTIFYING CERTAIN ACTS OF TERRORISM HAVE TRANSFORMED NORMALLY PROFESSIONAL LEGAL COMMITTEE INTO POLITICAL COCKPIT FOR SECOND YEAR IN ROW. REMAINS TO BE SEEN WHETHER IT POSSIBLE IN THIS ATMOSPHERE TO ARRIVE AT COMPROMISE PERMITTING COMPLETION OF MEANINGFUL CONVENTION. END SUMMARY.

1. AT UNGA LEGAL COMMITTEE MEETING NOV. 15, MAIGA (MALI) FORMALLY INTRODUCED ON BEHALF OF 38-COSPONSORS AMENDMENT CONTAINED L.951 (TEXT USUN'S 4075, PARA 2 NOTAL). HE EXPRESSED DISAPPROVAL OF VIOLENCE ENDANGERING INNOCENT HUMAN LIVES BUT CLAIMED THAT CONVENTION WITHOUT NEW ARTICLE COULD BE USED TO INTENSIFY REPRESSION AGAINST LIBERATION MOVEMENTS. MOROCCAN DEL, SPEAKING IN SUPPORT OF AMENDMENT, SAID TIME HAD COME FOR BREAKTHROUGHS IN INTERNATIONAL LAW, CITING RECOGNITION GUINEA BISSAU AS ONE SUCH BREAKTHROUGH. HE ARGUED THAT DIPLOMATS WHO EXECUTE POLICIES OF ODIOUS GOVERNMENTS SHOULD NOT BE GIVEN AN INSURANCE POLICY BY THE INTERNATIONAL COMMUNITY TO COVER THEIR HEINOUS DEEDS. HE GAVE AS EXAMPLE (WITHOUT IDENTIFYING NATIONALITY) CASE INVOLVING ATTACHE IN NORWAY WHO COOPERATED WITH KILLERS OF MOROCCAN CITIZEN AND ATTEMPTED GIVE SAID KILLERS SAFE HAVEN. HE ADDED PURPOSE OF AFRICAN AMENDMENT WAS TO MAKE COMMITTEE PAUSE AND REFLECT. COMMENT: THIS MOST STRAIGHTFORWARD AND COGENT DEFENSE OF APPALLING RATIONALE BEHIND AFRICAN MOVE HEARD YET. END COMMENT.

2. AFGHANISTAN DEL FOLLOWED WITH EMOTIONAL TIRADE OF HIS OWN INCLUDING PROPOSING SUB-AMEMDMENT TO ADD "ALIEN DOMINATION" TO AFRICAN AMENDMENT.

3. PRC REP, SPEAKING FOR FIRST TIME THIS YEAR IN SIXTH
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COMMITTEE DEBATE, CHARGED IN BRIEF STATEMENT THAT SOME ARTICLES IN DRAFT CONVENTION COULD BR UTILIZED BY "IMPERIALISTS, RACISTS OR ZIONISTS" AS TOOL TO SUPPRESS NATIONAL LIBERATION MOVEMENTS. PRC DEL REPEATED DISTINCTION CHINA DREW LAST YEAR BETWEEN INDIVIDUAL ACTS OF TERRORISM, WHICH PRC OPPOSES, AND "MASS MOVEMENTS" WHICH ARE JUSTIFIABLE. (COMMENT: CHINESE APPARENTLY SUPPORTING AMENDMENT.)

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4. GONZALEZ GALVEZ (CHAIRMAN) CLOSED DISCUSSION AT THIS POINT AND ANNOUNCED HE HAD CONVENED SMALL INFORMAL WORKING GROUP IN ORDER DEVELOP SATISFACTORY COMPROMISE.

5. COMMENT: AFRICANS AND ARABS HAVE NOW PUBLICLY LINKED PROTECTION OF DIPLOMATS CONVENTION TO TERRORISM AND MID-EAST. THE NORMALLY PROFESSIONAL SIXTH COMMITTEE APPEARS HEADED ON THE ROAD TO BEING TURNED INTO A POLITICAL COCKPIT FOR THE SECOND YEAR IN A ROW. WHETHER MODERATE AFRICANS WILL BE ABLE TO CONTRIBUTE TO A RESTORATION OF REASONABLE ATMOS-PHERE IN WHICH COMPROMISE IS POSSIBLE REMAINS TO BE SEEN. SOME MEMBERS OF COMMITTEE HAVE PRIVATELY EXPRESSED THOUGHT TO US THAT IF INFORMAL TALKS NOT PRODUCTIVE IT MAY BE BEST TO PROPOSE DEFERRING FURTHER CONSIDERATION OF CONVENTION UNTIL NEXT YEAR IN ORDER PRESERVE WORK DONE TO DATE. WE PLAN SEND SEPTEL ANALYZING PROS AND CONS THIS POSSIBILITY. END COMMENT.
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